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WEMMH PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/608,799
Filing Date	June 27, 2003
First Named Inventor	Paul Stanish
Art Unit	3738
Examiner Name	Paul B. Preblich
Attorney Docket Number	37031-23

Total Number of Pages in this Submission

**ENCLOSURES (check all that apply)**
☐ Fee Transmittal Form  
☐ Fee Attached  
 Credit Card Payment Form

☐ Amendment Response  
☐ After Final  
☐ Affidavits/declaration(s)
☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Documents☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert a Provisional Application  
☐ Power of Attorney, Revocation, Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

☐ After Allowance Communication to TC  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☐ Return Receipt Postcard  
☒ Other Enclosure(s) (please identify below): PTO Form 1449A and 3 non patent literature documents.

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name Woodard, Emhardt, Moriarty, McNett &amp; Henry LLP

Signature

Printed Name Charles R. Reeves

Date

February 17, 2006

Reg. No. 28,750

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as **first class mail** in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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Typed/printed name of person signing this certificate

  
 Signature

February 17, 2006

Date

#385247



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	)	
	)	
Paul Stanish	)	Before the Examiner
	)	Paul B. Prebilic
Serial No.: 10/608,799	)	
	)	
Filed: June 27, 2003	)	Group Art Unit: 3738
	)	
ARTERIOVENOUS GRAFTS AND	)	
METHODS OF IMPLANTING THE	)	
SAME	)	Atty Docket No. 37031-23

**INFORMATION DISCLOSURE STATEMENT**

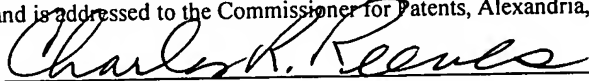
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Commissioner:

Pursuant to the duty of disclosure embodied in 37 C.F.R § 1.56 and 1.98, Applicant submits additional copies of the following references listed on the attached Information Disclosure Statement Form. These references were previously listed by the Applicant in its form 1449A filed concurrently with this application. However, pursuant to 37 C.F.R. §1.98(d), copies of the references were not provided since they had been previously submitted in the U.S. parent patent application, Serial No. 09/704,083, filed November 1, 2000.

Express Mail Label No. EV 746141661 Date of Deposit February 17, 2006


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Charles R. Reeves

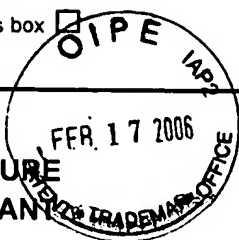
In an Office Action dated January 19, 2006, these same references were crossed out by the Examiner as not having been considered. In a follow-up voice mail message left February 8, 2006, the Examiner, Paul Prebilic, indicated that the three references were not considered because they could not be located in the parent application file. For that reason, Applicant is happy to resubmit copies of these references for the Examiner's consideration.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information or references cited are or are considered to be, material to patentability of the subject application as defined in 37 C.F.R. §1.56, or that any information or references cited are prior art of any kind. As previously noted, these references were originally cited and submitted to the U.S. Patent Office on September 24, 2001, and were considered by the Examiner in the parent application as evidenced by the office action mailed October 1, 2002. Therefore no fees are believed due for submission and consideration of these references in this application because the documents were apparently lost by the Office. However, the Commissioner is hereby authorized to charge any required fees or credit any amount to Deposit Account No. 23-3030, but not to include any payment of issue fees in this case.

Respectfully submitted,

By:   
Charles R. Reeves, Reg. No. 28,750  
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Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				Application Number	10/608,799
				Filing Date	June 27, 2003
				First Named Inventor	STANISH
				Group Art Unit	3738
				Examiner Name	Paul B. Prebilic
Sheet	1	Of	1	Attorney Docket Number	37031-23
<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No.	<small>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), Publisher, city and/or country where published</small>			T
	B1	<b>DEIERHOI, Mark H.</b> , <i>Preliminary Results of an Aggressive Approach to Arteria Fistula Construction for Hemodialysis</i> , The Seventh Biannual Symposium on Dialysis Access, Vascular Access for Hemodialysis VII, May 4-5, 2000, San Antonio, Texas.			
	B2	<b>EGGERS, Paul W.</b> , <i>Medicare Expenditures for Fistula, Graft, and Catheter-Access Procedures</i> , The Seventh Biannual Symposium on Dialysis Access, Vascular Access for Hemodialysis VII, May 4-5, 2000, San Antonio, Texas.			
	B3	<b>HAKIM, Raymond and HIMMELFARB, Jonathan</b> , <i>Hemodialysis access failure: A call to action</i> , Kidney International, (1998) 54:1029-1040			
	B4				
	B5				
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	B8				
	B8				
	B9				
	B10				
	B11				
	B14				
Examiner Signature				Date Considered	
*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					